

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI

On this the 28th day of October 2013

In C.G.No:73/ 2013-14/ Vijayawada Circle

Present

Sri K. Paul
Sri A. Venugopal
Sri T. Rajeswara Rao
Sri A. Satish Kumar

Chairperson
Member (Accounts)
Member (Legal)
Member (Consumer Affairs)

Between

Sri.V.Pandu Ranga Rao
Cool Drink Shop,
Zilla Court Centre
Machilipatnam Post and Mandal
Krishna-Dist-521001

Complainant

And

1. Assistant Accounts Officer/ERO/Machilipatnam
2. Assistant Engineer/Operation/D-2/Machilipatnam
3. Assistant Divisional Engineer/Operation/Machilipatnam

Respondents

* * *

Sri.V.Pandu Ranga Rao, Cool Drink Shop, Zilla Court Centre, Machilipatnam Post and Mandal, Krishna-Dist-521001 herein called the complainant, in his complaint dt:17-06-2013 filed in the Forum on dt:17-06-2013 under clause 5 (7) of APERC Regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that

1. He is a consumer under commercial category for his small cool drink shop in the premises of district court and he is receiving bills for the service above on high side.
2. He is 90% disabled physically and is not in a position to pay the CC.Charges for the above service under commercial category.
3. Requested to convert his service into category-I in view of the points mentioned above.

Notices were served upon the respondents duly enclosing a copy of complaint.

The respondent-3 i.e. the Assistant Divisional Engineer/Operation/Machilipatnam in his written submission dt: 23-09-2013, received in the Forum on 01-10-2013 stated that:

1. Consumer utilizing supply for drink shop already billed in Commercial purpose.

Not possible for change the category for Domestic purpose as per department rules

Findings of the Forum:

1. The grievance of the complainant is that he is having one service for his small cool drink shop in the premises of the district court and he is receiving bills for the above service on high side the service being billed under commercial category. Requested to change the category of the service into LT-I in view of his inability to pay the CC.Charges because of his physical disability of 90%.
2. The respondent-3 i.e. the ADE/Opn/Machilipatnam replied that the consumer was utilizing supply for cool drink shop already billed under commercial category and not possible to change the category to domestic as per departmental rules.
3. The consumer herein the complainant he himself had declared that he is utilizing the supply for his cool drink shop which is a commercial activity and is classified as LT category-II in accordance with the tariff order approved and communicated by the honourable APERC and the licensee is adopting the same. which is being adopted by the licensee as it is
4. Moreover the complainant sought relief by converting the category of his service from LT-II to LT-I in view of his physical disability of 90% which factor is no where considered and mentioned by the APERC.
5. The licensee can bill any service only in strict adherence with the tariff order in force and applicable to that period and hence the contention of the respondents

that they cannot change the category of the service from LT-II to LT-I in view of the prevailing departmental rules in spite of the circumstances explained by the complainant is quite acceptable.

6. As such it is felt by the Forum that the contention of the respondents that the category of the said service of the complainant cannot be changed is quite reasonable and hence the request of the complainant for directing the respondents to change the category of the service from LT-II to LT-I is set aside.

In view of the above, the Forum passed the following order.

ORDER

It is hereby ordered that the request of the complainant for change of category of his cool drink shop service from LT-II to LT-I cannot be considered and is set aside in TOTO.

Accordingly the case is allowed and disposed off

If aggrieved by this order, the complainant may represent to the Vidyut Ombudsman, O/o the APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004, within 30 days from the date of receipt of this order.

Signed on this the 28th day of October 2013.

Sd/-
Member (Legal)

Sd/-
Member (C.A)

Sd/-
Member (Accounts)

Sd/-
Chairperson

Forwarded by Orders

Secretary to the Forum

To
The Complainant
The Respondents

Copy to the General Manager/ CSC/ Corporate office/ Tirupati for pursuance in this matter.